



17707 U.S. PTO

120903

Attorney Docket No. MCRVT-001BC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

00727 U.S. PTO  
10/730860



In re Application of:	)		
Rosenbluth, et al.	)	Art Unit:	To Be Determined
	)		
Application No.: To Be Determined	)	Examiner:	To Be Determined
	)		
Filed: December 9, 2003, Herewith	)		
	)		
For: Embolectomy Catheters and	)		
Method for Treating Stroke and Other	)		
<u>Small Vessel Thromboembolic Disorders</u>	)		

**Transmittal of a Continuation Utility Patent Application**

Express Mail mailing label no. EV330361139US

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Embolectomy Catheters and Method for Treating Stroke and Other Small Vessel Thromboembolic Disorders"

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) corresponding to application Serial No. 09/437,430 which is a continuation-in-part of application Serial No. 09/071,561 filed on May 1, 1998 and now issued as U.S. Patent No. 6,511,492 on January 28, 2003. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
  - ☒ the prior application as filed, including all 55 pages of specifications (including 47 pages of written description; 7 pages of claims (Claims 1-50), 1 page of Abstract and 29 sheets of drawings; and
  - ☒ the declaration of inventorship showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation of application Serial No. 09/437,430 which is a continuation-in-part of application of Serial No. 09/071,561 filed on May 1, 1998 and now issued as U.S. Patent No. 6,511,492 on January 28, 2003--.
- ☒ Please amend the claims by canceling claims 1-10, 12-25, 29-32, 35-46 and 48-50. Applicant will file a subsequent preliminary amendment presenting new claims for prosecution.
- ☒ Check No. 3253 covering the filing fee in the amount of \$385.00 accompanies this application, calculated as follows:

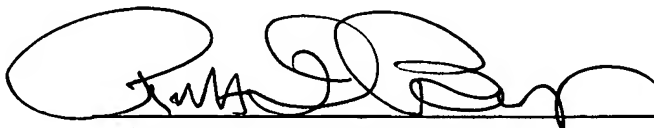
For	(Col. 1) No. Filed	(Col. 2) No. extra	Small entity Rate	Fee	Or	Other than a Small entity Rate	Fee
Basic fee				\$ 385	Or		\$
Total claims	7	- 20 =	0	x 0	\$	Or	x 18
Indep claims	1	- 3 =	0	x 0	\$	Or	x 78
_ Multiple dependent claims presented		+ 130	\$	Or	+ 260	\$	
			Total	\$385	Or	Total	\$

- ☒ An Assignment of the invention to MicroVention, Inc. was previously recorded in the parent application no. 09/437,530 on February 16, 2000 on Reel/Frame 010556/0197.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Twenty-nine (29) sheets of formal drawings are enclosed.

- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown herebelow.
- ☒ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: December 9, 2003



Robert D. Buyan, Reg. No. 32,460

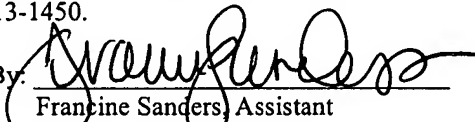
4 Venture, Suite #300  
Irvine, CA 92618  
Telephone: (949) 450-1750 ext. 213  
Facsimile: (949) 450-1764

---

CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on December 9, 2003 and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 9, 2003

By:   
Francine Sanders, Assistant